



## CITY OF VANCOUVER

### ADMINISTRATIVE REPORT

Date: January 24, 2008  
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Meeting Date: February 14, 2008

TO: Standing Committee on City Services and Budgets

FROM: City Building Inspector

SUBJECT: 2832 West 5<sup>th</sup> Avenue  
Warning to Prospective Purchasers

#### RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 2832 West 5<sup>th</sup> Avenue, Lot 33, Block 30, Plan 1560, District Lot 192, New Westminster, PID 014-557-134 in order to warn prospective purchasers that there are contraventions of the Zoning and Development and Vancouver Building By-laws in this building.

#### GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

#### COUNCIL POLICY

Section 336D of the Vancouver Charter provides a mechanism whereby the City of Vancouver can warn prospective purchasers of contraventions of City By-laws relating to land or a building or structure. It provides that if the City Building Inspector observes a condition that he considers to be a contravention of a By-law relating to the construction or safety of buildings; or as a result of that condition, a building or structure is unsafe or unlikely to be usable for its expected purpose; or is of a nature that a purchaser, unaware of the contravention, would suffer a significant loss or expense if the By-law were enforced against him, he may recommend to City Council that a resolution be considered directing the City Clerk to file a notice against the Title to the property in the Land Title Office.

## PURPOSE

The purpose of this report is to request approval to file a 336D Notice against the title to 2832 West 5<sup>th</sup> Avenue to warn prospective purchasers of By-law violations.

## BACKGROUND

The building at 2832 West 5<sup>th</sup> Avenue is approved as a two family dwelling and was constructed in 1932. The building is located in an RT-7 (Two Family Dwelling ) District.

## DISCUSSION

On January 22, 2008, this department received a complaint from a neighbouring resident that the building was listed for sale and was being advertised as a 4 Suite Revenue Home. A review of our records for the property indicated that the realtor had requested information from the City as to the legal occupancy of the building and was advised in writing on January 4, 2008 that the building was approved only as a two family dwelling. There have been no enquiries or applications submitted to convert the building to four units.

The property owner and realtor were subsequently sent written notification that the two additional suites they were advertising for sale were not legal and that the City would be pursuing legal action. They have also been sent an enforcement letter outlining the requirements for either obtaining the required Development and Building Permit approval or removing the unauthorized suites.

## CONCLUSION

Because this building is currently listed for sale, it is recommended that a 336D Notice be filed against the title to the property so that any prospective purchasers will be warned that the building contains two unauthorized dwelling units in contravention of the Zoning and Development and Vancouver Building By-laws.

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